

**Alton Coal Development, LLC**

463 North 100 West, Suite 1

Cedar City, Utah 84720

Phone (435) 867-5331 • Fax (435) 867-1192

COPY

August 27, 2009

Daron R. Haddock
Department of Natural Resources
Utah Division of Oil, Gas & Mining
1594 West North Temple, Suite 1210
Salt Lake City, UT 84114

***Re: Response to Technical Review (Task ID #3100)
Coal Hollow Project, Kane County, Utah, C/025/0005***

Dear Mr. Haddock:

Alton Coal Development, LLC is pleased to provide this submittal addressing the deficiencies outlined in your correspondence dated April 20, 2009 for the Coal Hollow Project application (C/025/0005) for a surface mining operation near Alton, Utah. The enclosed information, in combination with the Initial Response (enclosed) provided to the Division on June 15, 2009, directly address each item specified in the written correspondence from your office. As previously requested, confidential materials are provided separate from the main body of the submittal and are located in the inside pocket of this binder.

Please let me know if there is any other assistance that we can provide.

Sincerely,

Chris McCourt

File in:

☒ Confidential☐ Shelf☐ Expandable

Refer to Record No. 0021

Date 08272009

In C/ 0250005 2009 Incoming

For additional information

Date Filed 08272009
Shelf

RECEIVED**AUG 27 2009****DIV. OF OIL, GAS & MINING**

APPLICATION FOR COAL PERMIT PROCESSING

C/025/005
Confidential
#3371
K

Permit Change ☐ New Permit ☒ Renewal ☐ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: Alton Coal Development, LLC

Mine: Coal Hollow

Permit Number: C/025/0005

Title: Mining and Reclamation Plan - Technical Review 2 (Task ID #3100) Revisions - Confidential Information

Description, Include reason for application and timing required to implement:

This confidential document is submitted to address changes in company ownership

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- | | |
|---|---|
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 2. Is the application submitted as a result of a Division Order? DO# _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 4. Does the application include operations in hydrologic basins other than as currently approved? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 6. Does the application require or include public notice publication? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9. Is the application submitted as a result of a Violation? NOV # _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 10. Is the application submitted as a result of other laws or regulations or policies?
<i>Explain:</i> _____ |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 11. Does the application affect the surface landowner or change the post mining land use? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2) |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 15. Does the application require or include soil removal, storage or placement? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 17. Does the application require or include construction, modification, or removal of surface facilities? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 19. Does the application require or include certified designs, maps or calculation? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 21. Have reclamation costs for bonding been provided? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 23. Does the application affect permits issued by other agencies or permits issued to other entities? |

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

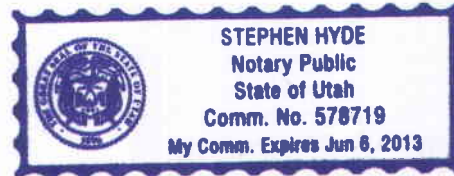
Chris McCourt
Print Name

Chris Hudson, Manager, 8-26-09
Sign Name, Position, Date

Subscribed and sworn to before me this 26 day of August, 2009

Stephen Hyde
Notary Public

My commission Expires: 06/06, 2013 } ss:
Attest: State of Utah }
County of Iron



For Office Use Only:

Assigned Tracking
Number:

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APPLICATION FOR COAL PERMIT PROCESSING

Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permittee: Alton Coal Development, LLC

Mine: Coal Hollow

Permit Number: C/025/0005

Title: Mining and Reclamation Plan - Technical Review 2 (Task ID #3100) Revisions - Confidential Information

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED

[illegible]

Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

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DIV. OF OIL, GAS & MINING

112.230 Abandoned Mine and Reclamation Fee

Robert C. Nead, Jr. will pay the abandoned mine land reclamation fee.

112.300 Ownership and Control

Alton Coal Development, LLC, is the sole party in interest, owning and controlling this application.

112.310 Members and Managers of Alton Coal Development, LLC

Social Security numbers of Alton Coal Development, LLC's members and manager provided in "CONFIDENTIAL BINDER" Appendix 1-1

Manager - CHRIS R. MCCOURT
1461 N. 3775 W.
Cedar City, UT 8457210
528-83-1714

Member STONIE BARKER, JR
1878 Mission Dr. 714 Bob White Lane
Naples, FL 341098
224-24-9379

Member ALEXANDER D. MIRROW BEVERLY
HOLWERDA
2514 Oleaster Ct. 960 Cape Marco Drive
Grand Junction, CO 81505Marco Island, FL 34145
457-23-5667

Member ROBERT C. NEAD, JR
6602 Ilex Circle
Naples, FL 34109
267-82-9706

Member JAMES J. WAYLAND
2841 Capistrano Way
Naples, FL 34105
227-68-3509

Member ANTHONY P. GARGIULO
960 Cape Marco Dr. #1001
Marco Island, FL 34145
019-22-0932

All members and managers use the employer identification number of Alton Coal Development, LLC No. 42-1655092

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